REMARKS

Claims 44 through 47, 49, 51 through 53, and 63 through 71 are pending in this application. Claim 49 has been amended to correct a typographical error. Claims 1 through 43, 48, 50, and 54 through 62 were canceled by previous amendments.

The Office Action asserts that under 35 U.S.C. §103(a), claims 44 through 47, 51 through 53 and 63 through 71 are unpatentable over U.S. Patent No. 5,825,360 to Odam in view of U.S. Patent No. 5,561,753 to Coulombe.

Independent claim 44 recites a method for automatic control of window overlap, including automatically determining priorities of each window of a plurality of overlapping windows displayed on a graphical user interface, and automatically arranging the plurality of windows to overlap one another in order of the priority on the graphical user interface. The window priority is derived from a topic of each window of the plurality of windows; the topic of the window is determined by a frequency of occurrence of at least one keyword in the window. The priority of the window is assigned based on a priority of the topic; the priority of the topic is determined based on a number of times a window having the topic is accessed.

Odam discloses a method for arranging windows in a workspace including assigning a priority to each of the windows in the workspace according to predefined criteria. The criteria may include the time of each window's creation, or the relative importance of each window. Alternatively, a user may set a preference for each window without regard for the time the window was created or selected.

Coulombe discloses a method for relocating selectable graphical objects in a graphical user interface environment. A relocation criterion is associated with each of the objects. Periodically and automatically the location of the objects is evaluated with respect to the relocation criterion and with respect to the current location of the

object. The relocation criterion may include a predetermined frequency of access criterion or a duration of access criterion or other similar priority determinations.

Odam and Coulombe, either individually or in combination, fail to render claim 44 obvious. To establish a prima facie case of obviousness, the prior art references must disclose or suggest all of the elements of the claim. Odam and Coulombe do not disclose or suggest a method for controlling window overlap **where window priority is derived from a topic of each window, the topic being determined by a frequency of occurrence of at least one keyword in the window.**

Odam does not disclose or suggest a window priority derived from a topic of each window. Odam determines priority primarily based on the time a window was created or selected. A user may override this priority by setting a preference for each window without regard for the time the window was created or selected. Col. 13, lines 46-59. Odam also discloses that a user can specify parameters for determining when two or more windows logically overlap, thereby triggering indentation of the windows. Col. 15. lines 48-50. In one embodiment, a logical overlap is deemed to have occurred only when certain critical areas of a window are physically overlapped. Each window may have a predefined "critical area" which the user does not want to be obstructed from view. Col. 16, lines 11-19. The Office Action assumes that this critical area "could be an ID, name, title, topic, etc. of the displayed window." However, this assumption is simply not supported by the disclosure of Odam. Odam discloses that the critical area is predefined, but does not even suggest that a window priority could be determined based on a topic of the window.

Further, the Office Action has acknowledged that Odam fails to disclose or suggest that the topic of the window is determined by a frequency of occurrence of at least one keyword in the window, and that the priority of the topic is determined based on a number of times a window having the topic is accessed.

Coulombe fails to overcome the deficiencies of Odam. The method of Coulombe involves relocating selectable graphical objects, based in part on a predetermined frequency of access criterion. However, Coulombe does not disclose or suggest determining priority based on a topic, the topic being based on the occurrence of a keyword. Consequently, Coulombe, even when combined with Odam, fails to disclose or suggest each element of claim 44. Claim 44 is therefore patentable over Odam and Coulombe.

Claims 45 through 47 and 51 through 53 depend from independent claim 44 and are patentable over Odam and Coulombe for at least the reasons outlined above in reference to claim 44.

Independent claim 63 recites a method for automatic control of window overlap based on a user's history of window use, including automatically determining a priority of each window of a plurality of overlapping windows displayed on a graphical user interface, and automatically arranging the plurality of windows to overlap one another in order of the priority on the graphical user interface. The priority is derived from an amount of time during which scrolling is performed on a window. Scrolling includes dragging contents of a window to reveal additional contents.

As discussed above, Odam discloses determining a priority based on how recently a window has been accessed, and Coulombe discloses relocating selectable graphical objects, based in part on a predetermined frequency of access criterion or a duration of access criterion. However, neither Odam nor Coulombe disclose or suggest the feature of **determining priority based on an amount of time during which scrolling is performed on a window**. The Office Action argues that Odam in view of Coulombe inherently teaches this feature because Coulombe discloses a scroll bar for scrolling through a window. Although Coulombe discloses a mechanism for scrolling through a window, it does not disclose determining a priority for that window based on the amount of time during which scrolling is

performed on the window. Consequently, neither Odam nor Coulombe disclose or suggest "automatically determining a priority of each window of a plurality of overlapping windows displayed on a graphical user interface, wherein said priority is derived from an amount of time during which scrolling is performed on a window, wherein said scrolling includes dragging contents of a window to reveal additional contents; and automatically arranging said plurality of windows to overlap one another in order of said priority on said graphical user interface," as recited in claim 63. Thus, claim 63 is patentable over the cited combination of Odam and Coulombe.

Claims 64 through 70 depend from independent claim 63, and are patentable over Odam and Coulombe for at least the reasons given above regarding claim 63.

Independent claim 71 recites a method for automatic control of window overlap, including automatically determining priorities of each window of a plurality of overlapping windows displayed on a graphical user interface and automatically arranging the windows to overlap one another in order of the priority on the graphical user interface. Window priority is derived from a topic of each window; the topic is determined by at least one keyword and said window priority is determined from a topic priority. Topic priority is determined by a number of times a window having a topic is accessed. Window priority is determined by i) scanning the window for the at least one keyword and determining a frequency of the at least one keyword in the window to determine the topic of the window, and ii) assigning a priority based on the topic priority.

Claim 71 recites elements similar to independent claim 44, including determining a window priority based on a topic of each window where the topic is determined by a frequency of the occurrence of a keyword. Claim 71 is therefore patentable over Odam and Coulombe for at least the reasons given above regarding claim 44.

10

The Office Action asserts that under 35 U.S.C. 103(a), claim 49 is unpatentable over Odam in view of Coulombe and further in view of U.S. Patent No. 4,559,533 to Bass.

Claim 49 depends from independent claim 44 and is patentable over Odam and Coulombe for at least the reasons cited above regarding claim 44. Bass fails to overcome the deficiencies of Odam and Coulombe. Bass discloses a method of electronically moving portions of several different images on a CRT screen. Bass fails to disclose a method for controlling window overlap where window priority is derived from a topic of each window, the topic being determined by a frequency of occurrence of at least one keyword in the window. Therefore claim 44 is patentable over the combination of Odam, Coulombe, and Bass. By virtue of its dependency on claim 44, claim 49 is also patentable over the cited combination of references.

In view of the above, Applicants respectfully submit that all claims presented in this application are patentably distinguishable over the cited references and combination of references. Applicants respectfully request favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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11